

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 18, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 11, 2006. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
- 2) **CLAIMS:** Approval of all claims processed through Tuesday, April 18, 2006.
- 3) **PUBLIC HEARINGS:**
 - A. Application for Corporate Manager for Jason R. Thiesen in connection with a Class ID (Spirits, Wine, Beer, On and Off Sale Only) liquor license for Firethorn Golf Company, L.L.C. d/b/a Firethorn Golf Club located at 9301 Firethorn Lane, Lincoln, Lancaster County, Nebraska.
 - B. Application for Corporate Manager for Candi Ryan and a new application for a Class C (Spirits, Wine, Beer On & Off Sale) liquor license for Ron's Pub, Inc. d/b/a Ron's Place located at 13940 East "O" Street in Lancaster County, Nebraska.
- 4) **OLD BUSINESS:**
 - A. County Change of Zone No. 05079, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Alan Baade, on property generally located northwest of South 82nd Street and Roca Road in Lancaster County, Nebraska. (Removed from Pending April 4, 2006.)
 - B. County Preliminary Plat No. 05017, Red Cedar Ridge, requested by Lyle Loth of ESP on behalf of Alan Baade, owner, on property generally located northwest of South 82nd Street and Roca Road in Lancaster County, Nebraska. (Removed from Pending April 4, 2006.)

<p style="text-align:center">THOSE WISHING TO SPEAK ON ITEMS SPECIFIC TO TODAY'S AGENDA ARE ASKED TO DO SO WHEN THE ITEM IS CALLED BY THE COUNTY CLERK. EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES.</p>

4) **OLD BUSINESS CONTINUED:**

- C. First Amendment to an agreement with Evercom Systems, Inc., under County Contract No. C-03-0161, for telephone services for Lancaster County Corrections and the Lancaster Correctional Facility. The amendment extends the agreement to December 31, 2008. During the renewal term, the County will receive 45 percent of the gross revenue or a Guaranteed Annual Minimum Commission (GMAC) of \$135,000. The County will also receive certain products, such as trays, carpet and tile, in an amount equal to \$40,000 as part of the renewal with Evercom. (C-06-0118)
- D. Second Amendment to an agreement with Evercom Systems, Inc., under County Contract No. C-03-0161, for telephone services for Lancaster County Corrections and the Lancaster Correctional Facility. The amendment allows the Youth Services Center to participate in the agreement for telephone services. Evercom will provide telephone services at the Youth Services Center in accordance with the proposed Statement of Work. The County will receive 35 percent of the gross revenue or a Guaranteed Annual Minimum Commission (GMAC) of \$5,000. The Second Amendment is effective upon execution by both parties and will continue through December 31, 2008. (C-06-0119)
- E. A resolution to enact a policy regarding the procedure for handling items on 'Pending' on the Board of Commissioners' Tuesday agendas. (R-06-0026)

5) **NEW BUSINESS:**

- A. Applications for Special Designated Licenses from Hillcrest Country Club, located at 9401 "O" Street, to provide liquor beverage service in connection with golf tournaments to be held on the following dates:
 - ▶ Sunday, May 7, 2006 from 7 a.m. to 1 a.m.
 - ▶ Sunday, June 4, 2006 from 7 a.m. to 1 a.m.
 - ▶ Sunday, July 2, 2006 from 7 a.m. to 1 a.m.
 - ▶ Sunday, August 6, 2006 from 7 a.m. to 1 a.m.
 - ▶ Sunday, October 1, 2006 from 7 a.m. to 1 a.m.
- B. A change order/supplemental agreement with M.E. Collins Contracting Company, Inc. for repair of County Structure No. S-53 located on South 25th Street just north of Wittstruck Road; Project 06-28. The change order will increase the original contract amount by \$36,613.75. (C-06-0128)

5) **NEW BUSINESS CONTINUED:**

- C. An agreement with Southeast Community College (SECC) to host the Community Mental Health Center's Staff Training Day on June 9, 2006. SECC will provide the facilities, training equipment, registration support, food catering and guest speaker/trainer. The County will pay \$7,270 for the services. (C-06-0129)
- D. An agreement with Joyce Schmeeckle, Ph.D., to develop an assessment and evaluation tool for the horticulture program which operates within the staff secure unit of the Lancaster County Youth Services Center. Term of the agreement is April 1, 2006 through November 30, 2006. The County will pay up to \$3,000 for the services. (C-06-130)
- E. An agreement between Lancaster County, on behalf of the Lancaster County Election Commissioner, and Steve McClatchey for the delivery of voting machines and other miscellaneous equipment to several polling locations for the statewide primary election on May 9, 2006. The agreement will commence upon execution by both parties and will continue until May 12, 2006. The County will pay \$42 per polling location for the delivery services. (C-06-0131)
- F. Agreement between Lancaster County and Great Plains Appraisal Company, on behalf of Wayne Kubert and Tom Kubert, to provide the services of a referee coordinator to coordinate referees who will hear all property tax protests for the 2006 tax year which are before the Lancaster County Board of Equalization. The coordinator is also responsible for ensuring that all papers related to such protests along with written findings and recommendations are made available to the Board. The referee coordinator will be reimbursed at a rate of \$760 per working day up to \$180,000. (C-06-0140)
- G. A dental services agreement with Tom Martin, D.D.S. for dental services at the Lancaster County Corrections Department for individuals housed in the County adult jail facilities. Mr. Martin is a licensed dentist and will be paid \$70 per hour for general services, \$20 per hour for instructing medical staff in dental clinic practice and \$75 per hour for time in preparation of trial or in court testimony. Term of the agreement is June 1, 2006 to May 31, 2009 and includes a 90-day termination clause. (C-06-0141)
- H. A grant contract with the United Methodist Ministries-Lincoln (Equity in Nebraska) for funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic abuse and dating violence, in the amount of \$35,866. Term of the grant contract is January 1, 2006 to December 31, 2006. (C-06-0142)

5) **NEW BUSINESS CONTINUED:**

- I. An addendum to the Business Associate Agreement-Flexible Benefit Plan Administrative Services Agreement between PayFlex Systems USA, Inc. and Lancaster County. The addendum amends the business associate agreement to ensure compliance with the Health Insurance Portability and Accountability Act (HIPAA) Security Rule. (C-06-0143)
- J. A resolution adopting a Post Employment Health Plan (PEHP) for Lancaster County Deputy Sheriff Captains. (R-06-0029)
- K. An employer participation agreement between Lancaster County and Nationwide Retirement Solutions for participation in the Post Employment Health Plan (PEHP) for Public Employees. The participation agreement authorizes Nationwide Retirement Solutions to act as the administrator of the plan and establishes a separate Post Employment Health Plan (PEHP) for Lancaster County Deputy Sheriff Captains. (C-06-0127)
- L. A resolution in the matter of adopting benefits for Lancaster County Deputy Sheriff Captains, effective the pay period beginning December 23, 2004. (R-06-0027)
- M. A resolution in the matter of adopting benefits for County employees in the Unclassified Service, excluding Deputy Sheriff Captains, effective the pay period beginning December 23, 2004. (R-06-0030)
- N. A resolution establishing the Deputy Sheriff Captains' Temporary Retirement Buyout Program, a temporary retirement buyout program for Lancaster County Deputy Sheriff Captains, effective between March 1, 2006 and August 20, 2008. (R-06-0028)
- O. A resolution in the matter of extending the deadline for hearing protests regarding real property in Lancaster County from July 25, 2006 to August 10, 2006, pursuant to Neb. Rev. Stat. § 77-1502(1). (R-06-0031)
- P. A resolution proclaiming April 17 through April 21, 2006 as 'Clean Your Files Week'. (R-06-0032)
- Q. Approval of a letter of support for a grant submitted by the State Office of Refugee Resettlement (NHHS), in the amount of \$245,660. Lancaster County will receive all of the grant dollars and will be paid \$5,500 for the grant program and oversight. The remainder of the grant dollars will be contracted to agencies working with the population.

5) **NEW BUSINESS CONTINUED:**

- R. Request from Northland Capital for a refund, in the approximate amount of \$696.76, of personal property taxes for 2005.
- S. Reappointment of Larry Hudkins, Tony Messineo, Hena Roy and Ed Schneider to the Lincoln-Lancaster County Board of Health for three year terms to expire April 15, 2009.

6) **CONSENT ITEMS:** *These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

- A. Receive and Place on File:
 - 1. County Assessor/Register of Deeds Monthly Report for March, 2006.
 - 2. Lancaster Manor's Monthly Report.
 - 3. Records and Information Management's Monthly Report for March, 2006.
- B. Request from Leena Pumel, an employee with Lancaster Manor, to voluntarily participate in the Lancaster County retirement plan having met the requirements.
- C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:
 - ▶ John and Adrienne Schmidt, in the total amount of \$1,888, on West "A" Street from Southwest 84th Street to the Burlington Sante Fe Railroad; Project C55-M-405(1). (2 contracts) (C-06-0132 and C-06-0133)
 - ▶ Herb L. and Bette Jo Linville, in the total amount of \$1,739, on West "A" Street between Southwest 84th Street to the Burlington Sante Fe Railroad; Project C55-M-405(1). (3 contracts) (C-06-0134 through C-06-0136)
 - ▶ Daryl Mitchell, in the total amount of \$8,453.80, at approximately Southwest 2nd Street and Panama Road; Project C55-W-403(2). (3 contracts) (C-06-0137 through C-06-0139)

7) **PENDING:** *Items currently on pending may be removed at the discretion of the Board and scheduled for action on a regular Board of Commissioners agenda following a two week notification period.*

- A. Public hearing regarding County Change of Zone 04053, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Hunzeker on behalf of Wapiti Enterprises, Inc., on property generally located at the southeast corner of Southwest 40th Street and Rokeby Road in Lancaster County, Nebraska. (Placed on pending September, 2004.)
- B. County Change of Zone 04074, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- C. County Special Permit 04058, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage units, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- D. County Preliminary Plat 04028, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- E. County Final Plat 04126, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- F. Vacation of a portion of South 162nd Street located in the Southwest Quarter of Section 26, Township 9 North, Range 8 East, of the 6th P.M., in Lancaster County, Nebraska. (Placed on pending October, 2005.)
- G. A resolution in the matter of County Change of Zone No. 05063, from AG Agricultural District to AGR Agricultural Residential District, requested by Steven Schmidt, on property generally located southeast of the corner of North 105th Street and Alvo Road/Highway 34 in Lancaster County, Nebraska. (R-05-0140) (Placed on pending November, 2005.)

8) **EMERGENCY ITEMS AND OTHER BUSINESS:**

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, April 20, 2006 beginning at 8:30 a.m. in Room 113 located on the first floor of the County-City Building, 555 South 10th Street, Lincoln, Nebraska.
- B. Public hearings will be held on Tuesday, April 25, 2006 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, located on the first floor of the County-City Building regarding the following:
1. County Special Permit No. 06016, requested by James and Wendy O'Brien, for authority to locate and live in a mobile home while building a permanent residence, pursuant to Article 13.001(20) of the Lancaster County Zoning Resolution, on property generally located at Southwest 119th Street and West Midway Road in Lancaster County, Nebraska.
 2. County Special Permit No. 06009, Chambers Estates Community Unit Plan, requested by Engineering Design Consultants on behalf of Jim and Phyllis Chambers, for authority to develop sixteen residential acreages on property located northeast of the intersection of South 54th Street and Wittstruck Road in Lancaster County, Nebraska.
- C. Public hearings will be held on Tuesday, May 2, 2006 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, located on the first floor of the County-City Building regarding the following:
1. An application for Corporate Manager for James W. Partington and a new application for a Class Y (Farm Winery) liquor license for Deer Springs Winery, L.L.C. d/b/a Deer Springs Winery, located at 16255 Adams Street, Lincoln, Lancaster County, Nebraska.
 2. An application for Corporate Manager for Toni L. Parker and a new application for a Class D (Beer, Wine & Distilled Spirits, Off Sale Only) liquor license for Blue Collar Liquor, Inc. d/b/a Blue Collar Liquor, 13940 "O" Street, Unit 1B, Lincoln, Lancaster County, Nebraska.
- D. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

10) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

NOTE: Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.

The Board of Commissioners agenda and minutes may be accessed on the Internet at <http://www.lancaster.ne.gov> on the County Clerk's website.

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, APRIL 18, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 11, 2006. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

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- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 6 additions and deductions to the tax assessment rolls per Attachment "A".

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Developmental Services of Nebraska, Inc.
First Church of the Nazarene
Lincoln Lancaster County Child Guidance Center
St. Monica's (2 exemption applications)
Villa Marie School
Wyuka Cemetery

- 4) **ADJOURNMENT:**

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